

**IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON  
DIVISION ONE**

IN THE MATTER OF THE	)	No. 63185-3-I
PERSONAL RESTRAINT OF:	)	
MARK SINGLETON,	)	DIVISION ONE
	)	UNPUBLISHED OPINION
Petitioner.	)	
	)	FILED: May 18, 2009

PER CURIAM. Mark Singleton filed this personal restraint petition challenging the sentence he received for criminal solicitation for delivery of an uncontrolled substance in lieu of cocaine, contending his conviction was erroneously determined to be a felony rather than a gross misdemeanor. The State has conceded the error. The concession is well-taken. In re Pers. Restraint of Hopkins, 137 Wn.2d 897, 976 P.2d 616 (1999).

Accordingly, the petition is granted and the case is remanded to the King County Superior Court for appointment of counsel for the petitioner and a new sentencing hearing as soon as practicable.

For the court:





